

RECEIVED
CENTRAL FAX CENTER

OCT 12 2005

PTO/SB/07 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Number: 09/895,869

Filing Date: June 28, 2001

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the
United States Patent and Trademark Office

on 10/12/2005

Date



Signature

Pam M. Prelwitz

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

1. Certificate of Transmission
2. Fee Transmittal
3. Response to Office Action Dated August 11, 2005 (24 pages)

Total pages: 26

Fax No. 571-273-8300
MS1-906US

*Please notify us immediately (206-315-4001) if
there is a problem with the quality of this fax.*

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0092

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1986, no burdens are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
 Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).
FEE TRANSMITTAL
 For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$0.00)

Complete if Known

Application Number	09/895,869
Filing Date	6/28/2001
First Named Inventor	Matthijs A. Gates
Examiner Name	JAMIE J VENT
Art Unit	2816
Attorney Docket No.	MS1 - 908US

RECEIVED

CENTRAL FAX CENTER

OCT 12 2005

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Nonc Other (please identify): _____

Deposit Account Deposit Account Number: 12-0769 Deposit Account Name: Lee & Hayes, PLLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200 100

Multiple dependent claims

360 180

Total Claims	47	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
					Fee (\$)	Fee Paid (\$)
		- 20 or 47	0	0.00		
			x 50	= 0.00		

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	5	Extra Claims	Fee (\$)	Fee Paid (\$)
		- 3 or 5	0	0.00

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

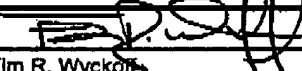
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
	- 100 =	/ 50 =	(round up to a whole number) x	=

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: _____

SUBMITTED BY

Signature		Registration No.	46175	Telephone	(206) 315-4001
Name (Print/Type)	Tim R. Wyckoff			Date	10-12-2005

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete. Including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

1 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 12 2005

2 Application Serial No. 09/895,869
Filing Date June 28, 2001
3 Inventor Gates et al.
Assignee Microsoft Corporation
4 Group Art Unit 2616
Examiner Vent, Jamie J.
5 Attorney's Docket No. MS1-906US
Title: Method and Apparatus for Recording Broadcast Data
6

7 **RESPONSE TO OFFICE ACTION DATED**
AUGUST 11, 2005

8 To: Commissioner for Patents
9 P.O. Box 1450
Alexandria, VA 22313-1450
10 From: Tim R. Wyckoff (Tel. 206.315.4001 x110; Fax 206.315.4004)
11 Customer No. 22801
12 Lee & Hayes PLLC
421 W Riverside Avenue, Suite 500
13 Spokane, WA 99201
14
15
16
17
18
19
20
21
22
23
24
25

INTRODUCTORY COMMENTS

1
2 This communication is responsive to the Office Action dated August 11,
3 2005, for which a three-month shortened statutory period for response is set for
4 November 11, 2005. Please amend the above-captioned application as follows:

5 **Amendments to the Claims** begin on page 3 of this document.

6 **Remarks** begin on page 14 of this document.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25